

Message Text

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ORIGIN NEA-10

INFO OCT-01 AF-10 EUR-12 IO-13 ISO-00 H-01 CIAE-00
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DRAFTED BY NEA/AFN:TSWILKINSON:MAR
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FM SECSTATE WASHDC
TO AMEMBASSY RABAT
AMEMBASSY ALGIERS
AMEMBASSY NOUAKCHOTT
AMEMBASSY MADRID
INFO USMISSION USUN NEW YORK
SECDEF

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E.O. 11652: N/A

TAGS: PFOR, MO, SS

SUBJECT: HEARINGS ON SPANISH SAHARA

REF: STATE 245767

1. SUBCOMMITTEE HEARINGS ON SAHARA LASTING THREE AND ONE-HALF HOURS WERE HELD ON OCTOBER 12 IN PRESENCE OF CHAIRMEN FRASER (D-MINN) AND DIGGS (D-MICH)--WHO ONLY REMAINED FOR OPENING STATEMENTS--AND FRASER SUBCOMMITTEE MEMBER DERWINSKI (R-ILL). HEARINGS WERE WELL ATTENDED, WITH MOROCCAN, TUNISIAN, AND ALGERIAN DCM'S IN AUDIENCE. (ALGERIAN SAID HE HAD LEARNED OF HEARINGS ONLY FROM DEPTOFF
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DURING CONVERSATION EARLIER IN DAY, AND WAS NEVER APPROACHED BY SUBCOMMITTEE STAFF.) AS FAR AS WE ARE AWARE, THERE HAS BEEN NO PRESS/MEDIA COVERAGE OF HEARINGS TO DATE. FOLLOWING SUMMARIZES STATEMENTS OF WITNESSES AND THEIR RESPONSES TO QUESTIONS FROM FRASER AND DERWINSKI, AND REQUESTS INPUTS FROM ACTION ADDRESSEES FOR REPLIES FOR RECORD TO QUESTIONS PUT TO VELIOTES.

2. MAJID ABDOUALLAH, POLISARIO FRONT REP: CLAIMED THAT AN INDEPENDENT SAHARAN STATE WOULD BE ECONOMICALLY VIABLE, BASED ON A SAHARAN POPULATION OF "LESS THAN A MILLION".

SAHARANS INCLUDE 20 TRIBES, ONLY ONE OF WHICH--REGIEBAT--NUMBERS OVER 100,000. AS RESULT OF MOROCCAN HUMAN RIGHTS VIOLATIONS, ONE-FIFTH OF PEOPLE OR SOME 150,000 HAVE FLED SAHARAN TERRITORY. SOME 80,000 MAURITANIANS HAVE ALSO FLED THEIR HOMELAND TO JOIN POLISARIO. UNHCR REP HAS VISITED ALL 23 OF REFUGEE CAMPS NEAR TINDOUF, EACH OF WHICH HAS 3,000 TO 5,000 PEOPLE. ONLY LIMITED NUMBER OF STATES HAVE RECOGNIZED SDAR, BUT 30 HAVE RECOGNIZED POLISARIO FRONT AS REPRESENTATIVE OF SAHARAN PEOPLE. ONLY FRONT CAN ACT AS LEGITIMATE REP OF SAHARAN PEOPLE AT OAU SUMMIT, WHEN IT IS HELD. FRONT WOULD ACCEPT REFERENDUM UNDER UN, ARAB LEAGUE, OR OTHER AUSPICES.

3. MOHAMED BENNOUNA, PROFESSOR OF LAW AT UNIVERSITY OF RABAT: SUMMARIZED LEGALISTIC BRIEF MAINTAINING THAT REFERENDA MORE AN EXCEPTION THAN STANDARD PRACTICE FOR DECOLONIZATION UNDER UN. CITED BOUMEDIENE BLESSING AT 1974 ARAB LEAGUE MEETING FOR MOROCCAN/MAURITANIAN AGREEMENT ON SAHARA. STATED THAT UNHCR HAD BEEN DENIED ACCESS TO REFUGEE CAMPS FOR PURPOSES OF TAKING CENSUS. IF SUCH A CENSUS WERE TAKEN, IT SHOULD SHOW IN NEIGHBORHOOD OF LIMITED OFFICIAL USE

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13,000 LEGITIMATE FORMER SAHARANS, SINCE SPANISH CENSUS SHOWED 73,000 AND THERE ARE STILL 60,000 INHABITANTS CURRENTLY IN REGION BEING ADMINISTERED BY MOROCCO AND MAURITANIA. VOLUNTEERED LIST OF REFUGEES WHO HAD "ESCAPED" FROM CAMPS IN ALGERIA TO REJOIN THEIR FAMILIES IN MOROCCO.

4. WILLIAM ZARTMAN, POLITICAL SCIENCE DEPARTMENT, NYU: "THE UNITED STATES GOVERNMENT SHOULD CONTRIBUTE TO PEACE, STABILITY, AND DEVELOPMENT IN WESTERN AFRICA BY RECOGNIZING THE SETTLEMENT OF THE WESTERN SAHARAN ISSUE AS PROVIDED IN THE TRIPARTITE AGREEMENT BETWEEN MOROCCO, MAURITANIA, AND SPAIN...THE SETTLEMENT CONCERNING THE FORMER SPANISH COLONY HAS PROCEEDED ACCORDING TO THE NORMAL AND ACCEPTED METHODS OF COLONIAL SUCCESSION IN AFRICA; THE ATTEMPT TO UPSET THE SETTLEMENT THROUGH GUERRILLA VIOLENCE IS IRRESPONSIBLE, ARTIFICIAL, AND WASTEFUL; WISE POLICY LIES IN THE SUPPORT AND ENCOURAGEMENT OF THE DEVELOPMENT EFFORTS OF EXISTING UNITS, RATHER THAN THE FURTHER BALKANIZATION OF AFRICA."

5. THOMAS FRANCK, PROFESSOR OF LAW, NYU LAW SCHOOL:

ATTACKED US ABSTENTION OF UN RESOLUTION 3458(A), AND MAINTAINED U.S. TILT IN DISPUTE WAS EVIDENT FROM ANNOUNCEMENT ON EVE OF GREEN MARCH THAT 24 F-5ES WOULD BE DELIVERED TO MOROCCO. STATED THAT POLISARIO HAS 16,000 MEN UNDER ARMS, AND THAT HIS SOURCES INDICATED THAT OAU SUMMIT MEETING WOULD BE HELD IN JANUARY. CALLED ON U.S. TO

CONTINUE TO WITHHOLD RECOGNITION OF SAHARAN ANNEXATION UNTIL PEOPLE HAVE SHOWN THEIR ACCEPTANCE; TO NOTIFY U.S. CORPORATIONS IN OR OFF SHORES OF SAHARA THAT TERRITORY IS DISPUTED AND USG CANNOT GUARANTEE PROTECTION; TO CONSULT WITH SPAIN AND FRANCE, WHOSE GOVERNMENTS WERE "ON RECORD" TO EFFECT THAT SELF-DETERMINATION HAD NOT TAKEN PLACE AND TERMS OF MADRID AGREEMENT THEREFORE UNFULFILLED, TO SEE LIMITED OFFICIAL USE

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WHAT MORE CAN BE DONE FOR SAHARAN PEOPLE; TO ENCOURAGE EFFORTS IN CURRENT UNGA TO REAFFIRM RIGHT OF SELF-DETERMINATION FOR THE SAHARANS.

6. ANN LIPPERT, CHAIRPERSON OF FOREIGN LANGUAGES DEPARTMENT, OHIO NORTHERN UNIVERSITY: DESCRIBED LIVING CONDITIONS IN TINDOUF CAMPS AND SUPPORTED ARGUMENTS OF FRANCK.

7. AFTER QUESTIONS AND ANSWERS WITH ABOVE AS A GROUP, VELIOTES GAVE STATEMENT IN REFTEL AND TOOK QUESTIONS FROM CHAIRMAN, WHICH POINTEDLY ZEROED IN ON USES OF U.S.-ORIGIN EQUIPMENT.

FRASER ASKED IF "EXTENSIVE" USE OF U.S.-ORIGIN EQUIPMENT IN SAHARA HOSTILITIES BY MOROCCANS WOULD BE CONSIDERED A VIOLATION OF CONDITIONS UNDER WHICH IT WAS PROVIDED. VELIOTES REPLIED THAT SUCH A DEVELOPMENT WOULD POSE DIFFICULTIES FOR US, AND WE WOULD OBVIOUSLY PREFER THAT IT NOT HAPPEN. FRASER PRESSED VELIOTES ON WHETHER WE HAD INFORMED MOROCCANS IN ANY WAY OF THIS CONCERN OR STIPULATED THAT WE WOULD NOT FAVOR USE OF EQUIPMENT IN SAHARA. VELIOTES SAID HE WAS NOT PERSONALLY AWARE OF ALL CONVERSATIONS THAT MIGHT HAVE TAKEN PLACE ON THIS SUBJECT, AND PROMISED TO SUBMIT ANSWER FOR RECORD. FRASER ALSO ASKED FOR AN ACCOUNTING OF WHERE U.S.-ORIGIN EQUIPMENT HAD BEEN USED.

8. IN SEPARATE LINE OF QUESTIONING, FRASER ASKED HOW U.S. POSITION ON SELF-DETERMINATION DIVERGED FROM THAT OF OTHERS. VELIOTES ANSWERED ON BASIS OF PREPARED Q'S AND A'S, BUT FRASER ASKED IF SPANISH GOVERNMENT WAS NOT ON PUBLIC RECORD WITH STATEMENT THAT RIGHT OF SELF-DETERMINATION FOR SAHARANS HAD NOT YET BEEN EXERCISED. VELIOTES LIMITED OFFICIAL USE

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AGREED TO TAKE QUESTION FOR FURTHER CHECKING. FRASER CONCLUDED THAT USG POSITION WAS "UNDERSTANDABLE," BUT HE WAS NOT PREPARED TO ACCEPT IT BECAUSE WE WERE NOT DEFENDING BASIC PRINCIPLES OF HUMAN RIGHTS AND UN CHARTER WITH SUFFICIENT VIGOR.

9. FOR RABAT: AS BASIS FOR OUR ANSWERS FOR THE RECORD, REQUEST THAT YOU SUBMIT RESUME OF ANY CONVERSATIONS IN EMBASSY'S FILES CAUTIONING MOROCCANS ABOUT USE OF U.S.-

ORIGIN EQUIPMENT IN THE SAHARA, TOGETHER WITH A BRIEF ACCOUNTING OF WHAT IS KNOWN WITH RELATIVE CERTAINTY ABOUT WHEN AND HOW F-5A'S AND B'S AND ANY OTHER SIGNIFICANT U.S. EQUIPMENT HAS BEEN USED BEYOND MOROCCO PROPER. RE RABAT 5683 NOTAL, WORDING OF VELIOTES STATEMENT WAS CAREFULLY FORMULATED IN VIEW OF COMMITTEE'S SPECIFIC INTEREST IN POSSIBLE MOROCCAN VIOLATION OF PERTINENT AGREEMENTS RE MILITARY ASSISTANCE.

10. FOR MADRID: APART FROM STATEMENT OF DEPARTING SPANISH GOVERNOR OF SAHARA IN FEBRUARY 1976 TO EFFECT THAT SAHARANS HAD NOT YET BEEN ACCORDED RIGHT OF SELF-DETERMINATION, WE ARE NOT AWARE OF ANY PUBLIC STATEMENTS ALONG THESE LINES BY GOS. PLEASE ADVISE IF YOU HAVE INFO TO THE CONTRARY. VANCE

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